

1894-067 Chancery Causes. E. M. Pennington vs. Louisville & Nashville Railroad Co.
Lee Co.

CA-Debt

T-Property

Transportation

To the Hon H. S. K. Morrison
Judge of the Circuit Court of
Lee County Virginia.

Your orator E. M. Pennington
who humbly complaining would
respectfully represent that at the
September term of this Hon. Court
your orator obtained a judgement
against The Louisville and Nashville
Rail Road Company a body Cor-
porate doing business ~~under the~~
~~firm name and style~~ in said
County of Lee - for the sum of
\$680. ⁰⁰ And the Costs - \$ ⁷⁷. This Judge-
ment nor no part thereof has ever
been paid your orator but the same
is now wholly due to him. This
Judgement has been docketed in
the Judgement lien book kept in the
County Court Clerks office of said
County, so that the same is as your
orator advised and so charges, a lien
upon the real estate of the defend-
ant Company situated in said County
of Lee.

The said Company owns a large and
valuable real estate in said County
consisting of its road, bed, track and
right of way, together with several

Depots and grounds, a very small portion of which will in five years pay and discharge your Orator's judgment. But said grounds and depots and track and road bed are only suited for Rail Road purposes and could not be rented for other purposes. The income of said road your Orator charges to be greatly more amply take the amount of his judgment. He is advised that as said road will not pay said debt, that a Court of Equity will place the same in the hands of a receiver, and direct the said road, net earnings to the discharge of this debt and judgment. But if a renting of said property is practical then your Orator prays for that, otherwise for a receiver to be appointed to take charge of said road and receive & pay over its net earnings for the use & benefit of your Orator until his debt be fully settled.

The premises considered, the object of said bill is to enforce said lien by renting said road or placing the same

in the hands of a receiver until the
same be paid. And to effect which
he prays that the Louisville & Nashville
Rail Road Company be made a party
defendant to their bill, and answer the
same but it need not do so upon
oath that being expressly waived.

And for all other further & General re-
lief May Supersede &c.

Your orator comits to state that a
copy of said Judgment will be
forwarded herewith filed as part hereof
"Marked A". And your orator will as
in duty bound ever pray &c.

A. L. Friedman

P. 9.

^{LP}
E. M. Pennington

vs Bill Chy
O

L. & N. R. R. Co

1891 1st Aug. Rules Bill
Filed Spa. Exh & D. Nisi

" 2nd Aug. Rules & Nisi
Carried & Cause set for hearing

" by Plaintiff
Wright & Warrum & Co

1892 Contd this year

1893 "

1894 June Decree final

O. B. 32

E. M. Pennington

vs.

L. & N. R. R. Co.

Plff.

Deft.

In Chy.

On Motion of The plaintiff
This cause is stricken from the
docket.

E. M. Pennington
vs ~~W~~ Deese
L. & M. R. R. Co

Lisal.

Ent. on Chy. Ord. Book P 22

Enter This

Dr. M

June 14th 1894.

Virginia

At a circuit Court continued
and held for Lee County at the
Court house thereof Sept, 4th 1890.

E. M. Pennington

Plff

vs

L. & M. R. Road lco.

Def.

In case

This day came again the
parties by their attorneys, and
the jury sworn to try the issue
in this cause, appeared in court
pursuant to their adjournment
We the Jury find
for the Plaintiff and assess the
damage \$680.00

Therefore it is considered
by the Court that the Plaintiff
recover against said Defendant
\$680.00 the damages assessed as
aforesaid and his costs by him
in this suit expended. # #

#

#

#

A Copy

Teste J. A. Hyatt C.

Q 11.16

S 3.50

A 2.50

Wit 10.00

Co 25

27.41

E. M. Pennington

v. { Judgement.

L. & R. R. Co

"A"

The Commonwealth of Virginia.

To The Sheriff Of Lee County Greeting:

We Command You to Summon

*Louisville and
Nashville Rail Road
Company an incorporation
doing business in Virginia*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday
in *August* next, being rule day to answer a bill in Chancery exhibited in our said Court
against *it* by *E. M. Pennington*

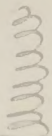
And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This *17th* day of *July* 18*91*, in the 11⁶ year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

F L.P.
E. M. Pennington

as  Spa in Chey

L. & N. R. Road Co.

To 1st August Rules 1891.

Executed July 26th 1891.

by delivering an
office copy ^{of the} to

C. F. Duncan

attorney for L. & N.
Railroad Co.

C. E. Flannery & Co.